

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date: March 30, 2005

Signature: *[Signature]*  
(Roger A. Heppermann)

Docket No.: 30203/38289  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Greg Opheim

Application No.: 10/670,642

Confirmation No.: 6807

Filed: September 25, 2003

Art Unit: 2122

For: METHOD AND APPARATUS FOR  
PROVIDING AUTOMATIC SOFTWARE  
UPDATES

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

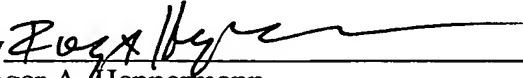
Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, the information identified on the enclosed Form PTO/SB/08 is disclosed to the Examiner for consideration in connection with the above identified patent application. Copies of the documents listed on the Form PTO/SB/08 are enclosed herewith.

This Information Disclosure Statement is being submitted before receipt of a first Office Action on the merits and, consequently, should be considered by the Patent Office without payment of a fee. See 37 C.F.R. § 1.97(b)(3). Furthermore, each item of information contained in this Information Disclosure Statement was first cited or originated in a communication from a foreign (PCT) patent office in a counterpart foreign (PCT) application not more than three months prior to the filing (mailing) of this Information Disclosure Statement. For this further reason, no fee is due for consideration of this information. See, 37 C.F.R. § 1.97(c)(1). However, if any additional fee is required for the consideration of this information, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 13-2855. A copy of this paper is enclosed herewith.

Applicants include herewith a copy of the PCT International Search Report indicating the relevance of these documents. As a result, these documents should be considered by the examiner.

Dated: March 30, 2005

Respectfully submitted,

By   
Roger A. Heppermann

Registration No.: 37,641  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. Wacker Drive, Suite 6300  
Sears Tower  
Chicago, Illinois 60606-6357  
(312) 474-6300  
Attorney for Applicant



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/670,642	
			Filing Date	September 25, 2003	
			First Named Inventor	Greg Opheim	
			Art Unit	2122	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	30203/38289

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,023,585	02-08-2000	Perlman et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO-02/077732 A1	10-03-2002			
		WO-2004/013712 A1	02-12-2004			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		International Search Report issued in PCT/2004/026612 mailed on February 21, 2005.	
		Written Opinion issued in PCT/US2004/026612 application mailed February 21, 2005.	
		AUGUSTIN et al., "Electronic Device Description Language-Basis fur eine einheitliche und platt-formunabh�ngige Ger�t�bedienung," <i>Automatisierungstechnische Praxis</i> ., pp. 24-28, 30-32 (1999)	
		BOWDEN R., "What is HART?" XP002219605 (1997)	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
-----------------------	--------------------